

AMENDED
APPLICATION FOR PERMIT

Nº 49157

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office.....JUN 24 1985

Returned to applicant for correction.....JUL 5 1985

Corrected application filed.....AUG 12 1985

Map filed.....AUG 12 1985

The applicant AMAX Exploration, Inc.

1707 Cole Boulevard, of Golden, Colorado,
Street and No. or P.O. Box No. City or Town

80401, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Incorporated in New York,
October 12, 1976.

1. The source of the proposed appropriation is underground
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 6.0 second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.

3. The water to be used for mining, milling, and domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated.

(b) Stockwater, state number and kinds of animals to be watered.

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed.

(2) Point of return of water to stream.

5. The water is to be diverted from its source at the following point within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9,
Describe as being within a 40-acre subdivision of public
T. 40 N., R. 35 E., M.D.B.&M., at a point from which the E $\frac{1}{4}$ corner
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
of said Section 9 bears S. 45° E., a distance of 424 feet.

6. Place of use within Sections 16 and 21, T. 40 N., R. 35 E.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled and cased well, pump,
State manner in which water is to be diverted, i.e. diversion structure, ditches and
electric motor, and distribution system.
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$50,000.00

10. Estimated time required to construct works..... 3 years.....
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 5 years.....

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be used for mining and milling purposes. A more
detailed consumption will be supplied after the pump test,
pursuant to W-158, is completed. Water to be comingled with
Permits 48425-48428, inclusive.

By s/Ross E. de Lipkau
Ross E. de Lipkau
P.O. Box 2790
Reno, Nevada 89505

Compared mc/jf js/bc

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The issuance of this permit will allow the permittee to dewater the pit area. The water diverted from this well during the dewatering stage will be placed in such manner as to allow for percolation back to the groundwater source.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.0 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before June 19, 1987

Proof of completion of work shall be filed on or before July 19, 1987

Application of water to beneficial use shall be made on or before June 19, 1989

Proof of the application of water to beneficial use shall be filed on or before July 19, 1989

Map in support of proof of beneficial use shall be filed on or before

Completion of work filed..... IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed..... State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed..... my office, this 18th day of November

Certificate No. Issued

A.D. 19 85

Peter G. Morros
State Engineer

(PERMIT TERMS CONTINUED)

Monthly reports covering and including the rate of diversion and the total volume from this dewatering well shall be supplied to the State Engineer.

Six months after the commencement of the dewatering pumping the permittee or its representatives shall meet to discuss the method of disposal of the water and any alternative methods of disposal.

The permittee, except for the first six months of initial dewatering, shall discharge water in a manner and in allocation calculated to conserve water. All disposal sites shall be first approved by the State Engineer.

After the dewatering of the pit area the water diverted will be used for mining, milling and domestic purposes.

The total diversion rate under Permits 48425, 48426, 48427, 48428, 49157 and 49158 shall not exceed 16.0 c.f.s. (7180 gallons per minute).

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.